

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

What is claimed is:

1. (Original) An isolated nucleic acid sequence comprising SEQ ID NO: 1 or an isolated nucleic acid comprising a polynucleotide sequence of greater than about fifty nucleotides which hybridizes under stringent conditions to SEQ ID NO:1 and provides a plant with resistance to Xanthomonas when transfected into the plant.
2. (Original) A method of making a plant resistant to Xanthomonas, the method comprising transfecting the nucleic acid of claim 1 into said plant or transfecting said nucleic acid into a plant cell or cells and growing a plant from said cell or cells.
3. (Original) An isolated nucleic acid comprising at least one nucleic acid selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:49, SEQ ID NO:50, SEQ ID NO:51 and SEQ ID NO:52 or an isolated nucleic acid which hybridizes under stringent conditions to said isolated nucleic acid and provides a plant with resistance to Xanthomonas when transfected into the plant.
4. (Original) A method of making a plant resistant to Xanthomonas, the method comprising transfecting the isolated nucleic acid of claim 3 into said plant or transfecting said isolated nucleic acid into a plant cell or cells and growing a plant from said cell or cells.

5. (Original) An isolated nucleic acid encoding a polypeptide of SEQ ID NO:5.

6. (Currently Amended) A method of making a plant resistant to *Xanthomonas* which comprises expressing in the plant a polypeptide comprising SEQ ID NO:5 of claim 5.

7. (Original) The method of claim 6 wherein the polypeptide is expressed from a nucleic acid which comprises a nucleic acid encoding the polypeptide operably linked to a plant promoter.

8. (Currently Amended) The method of claim 7, wherein the promoter is selected from the group consisting of a tissue-specific promoter, a constitutive promoter and an inducible promoter.

9. (Canceled)

10. (Canceled)

11. (Currently Amended) A vector which comprises a at least one nucleic acid ~~as in any of claims 1, 3 or 5~~ selected from the group consisting of SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:49, SEQ ID NO:50, SEQ ID NO:51 and SEQ ID NO:52.

12. (Original) A vector as in claim 11 which further comprises a plant promoter operably linked to said nucleic acid.

13. (Currently Amended) The vector of claim 12, wherein the promoter is selected from the group consisting of a tissue-specific promoter, a constitutive promoter and an inducible promoter.

14. (Canceled)

15. (Canceled)

16. (Original) A method of enhancing resistance to Xanthomonas in a plant, the method comprising transfecting the plant or a cell from the plant with a nucleic acid selected from the group consisting of SEQ ID NO:49, SEQ ID NO:50, SEQ ID NO:51 and SEQ ID NO:52.

17. (Original) The method of claim 16 which further comprises a nucleic acid encoding a heterologous polypeptide operably linked to said nucleic acid.

18. (Canceled)

19. (Original) A cell that is transformed with at least one nucleic acid selected from the group consisting of SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:49, SEQ ID NO:50, SEQ ID NO:51 and SEQ ID NO:52.

20. (Currently Amended) The transgenic plant of claim 18 24, which is rice.

21. (Currently Amended) The transgenic plant of claim 18 24, wherein the plant is selected from the group of plants consisting of barley, oats, wheat and corn.

22. (Currently amended) An isolated nucleic acid which comprises at least 100 contiguous base pairs of SEQ ID NO:1 the nucleic acid of claim 1, which confers resistance to Xanthomonas when transfected into a plant that is

not resistant to said Xanthomonas.

23. (Original) A method of conferring resistance to Xanthomonas disease to a plant which comprises transfecting the plant with the nucleic acid of claim 22.

24. (New) A transgenic plant that is resistant to Xanthomonas, comprising the plant cell of claim 19.